



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/674,113	09/29/2003	David W. Pedlar	555255012584	2434
44208	7590	12/13/2005	EXAMINER	
DOCKET CLERK PO BOX 12608 DALLAS, TX 75225			ADDY, ANTHONY S	
			ART UNIT	PAPER NUMBER
			2681	

DATE MAILED: 12/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/674,113	Applicant(s) PEDLAR ET AL.	
	Examiner Anthony S. Addy	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 October 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to applicant's response filed on October 03, 2005.

Claims 1-9 are pending in the present application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-9 are rejected under 35 U.S.C. 102(e) as being anticipated by **Zeira et al., U.S. Publication Number 2004/0114574 A1 (hereinafter Zeira)**.

Regarding claims 1 and 6, Zeira discloses a user equipment and a method of performing a cell update during a reconfiguration procedure in a user equipment in a communications system (see p. 4 [0063], p. 15 [0499] and Figures 1, 8A, 8B, & 9A), the method comprising the steps of: receiving a reconfiguration command, the reconfiguration command including an activation time at which a reconfiguration is to be applied (see p. 6 [0106], p. 17 [0549-0550] and p. 19 [0556]); detecting a trigger event which indicates that a cell update is required (see p. 8 [0161-0173]); and canceling the reconfiguration procedure in response to the trigger event (see p. 15 [0512-0513], p. 17 [0549-0551] and p. 19 [0556]).

Regarding claims 2 and 7, Zeira discloses all the limitations of claims 1 and 6. In addition, Zeira discloses a user equipment and a method, comprising canceling the reconfiguration procedure if the trigger event occurs before the activation time (see p. 15 [0512-0513] and p. 17 [0549-0551]). .

Regarding claims 3 and 8, Zeira discloses all the limitations of claims 1 and 6. In addition, Zeira discloses a user equipment and a method, wherein the reconfiguration procedure includes applying the reconfiguration at the activation time, the method further comprising canceling the reconfiguration procedure if the trigger event occurs before the reconfiguration has been applied (see p. 15 [0512-0513], p. 17 [0549-0551] and p. 19 [0556]).

Regarding claim 4, Zeira discloses all the limitations of claim 1. In addition, Zeira discloses a method, further comprising initiating the cell update (see p. 16 [0523] and p. 19 [0555]).

Regarding claim 5, Zeira discloses all the limitations of claim 1. In addition, Zeira discloses a method, in which the user equipment communicates with a UTRAN, further comprising sending a Reconfiguration_FAILURE message to the UTRAN (see p. 12 [0366-0367] and p. 15 [0500]) .

Regarding claim 9, Zeira discloses all the limitations of claim 6. In addition, Zeira discloses a user equipment, wherein the communications system comprises a UMTS system (see p. 5 [0076], p. 19 [0554] and Fig. 20).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mella et al., U.S. Publication Number 2005/0163074 A1 discloses method of communication.

Farnsworth et al., U.S. Publication Number 2005/0070273 A1 discloses apparatus and method for responding to a cell update confirm message using a correct C-RNTI in universal mobile telecommunications system user equipment.

Farnsworth et al., U.S. Publication Number 2005/0101299 A1 discloses apparatus and method for handling messages that relate to a cell other than the currently operating cell in universal mobile telecommunications system user equipment.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony S. Addy whose telephone number is 571-272-7795. The examiner can normally be reached on Mon-Thur 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on 571-272-4090. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

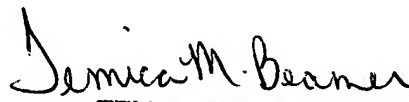
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

Art Unit: 2681

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony S. Addy
December 6, 2005


TEMICA BEAMER
PRIMARY EXAMINER
12/8/05